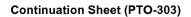
Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/723,688	GAAL ET AL.	
Examiner	Art Unit	
ERIC ELCENKO	2617	

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The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence add	ress	
THE REPLY FILED <u>27 October 2009</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.				
1. The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appelor Continued Examination (RCE) in compliance with 37 Coperiods:	replies: (1) an amendment, affidavit eal (with appeal fee) in compliance	t, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request	
a) The period for reply expires 3 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or (MONTHS OF THE FINAL REJECTION. See MPEP 706.07(i) Extensions of time may be obtained under 37 CFR 1.136(a). The date	dvisory Action, or (2) the date set forth in ater than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE f). on which the petition under 37 CFR 1.1	g date of the final rejection FIRST REPLY WAS FII 36(a) and the appropriat	on. LED WITHIN TWO e extension fee	
have been filed is the date for purposes of determining the period of ext under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the s set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	hortened statutory period for reply original than three months after the mailing date	nally set in the final Offic	e action; or (2) as	
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed with AMENDMENTS 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the		
The proposed amendment(s) filed after a final rejection, be a considered after a final rejection, be a considered after a final rejection and a consid	nsideration and/or search (see NOTw); ter form for appeal by materially rec	E below); ducing or simplifying th		
NOTE: (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.12 5. Applicant's reply has overcome the following rejection(s): 6. Newly proposed or amended claim(s) would be all				
non-allowable claim(s). 7. For purposes of appeal, the proposed amendment(s): a) [how the new or amended claims would be rejected is prov The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-31 and 37-42. Claim(s) withdrawn from consideration: —	☐ will not be entered, or b) 🛛 will	_	_	
 AFFIDAVIT OR OTHER EVIDENCE B. ☐ The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 				
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary 	vercome <u>all</u> rejections under appea	ıl and/or appellant fail:	s to provide a	
10.	n of the status of the claims after er	ntry is below or attach	ed.	
11. The request for reconsideration has been considered but The claimed subject matter does not overcome the prior		condition for allowan	ce because:	
12. ☐ Note the attached Information <i>Disclosure Statement</i>(s). (13. ☐ Other:	PTO/SB/08) Paper No(s)			
/Patrick N. Edouard/ Supervisory Patent Examiner, Art Unit 2617				



Application No.